REMARKS

Claims 1-6, 8-15, 17-19, 21-29 and 31-40 are present in the above-captioned

application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the

Official Action avers that the following inventions are present in the claims:

Species A – An endoscopic treatment system and method comprised of a first

insertion instrument and a second insertion instrument (Claims 1, 4, 6, 8-15, 17-19, 21-29, 35

and 37-40); and

Species B – An endoscopic treatment system and method comprised of a first

insertion instrument, a second insertion instrument and a third insertion instrument (Claims 2,

5, 31-34 and 36).

It is the Examiner's position that the inventions listed as Species A and B are

distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to

prosecute the subject matter of Species A, Claims 1, 4, 6, 8-15, 17-19, 21-29, 35 and 37-40.

However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional

applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at

an early date, is earnestly solicited.

Respectfully submitted

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